

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES MILLHOUSE,
Plaintiff,

Case No. 1:20-cv-598
Barrett, J.
Litkovitz, M.J.

vs.

V-SOFT CONSULTING, *et al.*,
Defendants.

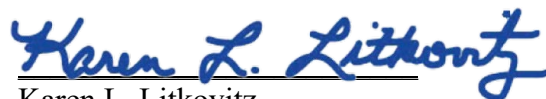
**REPORT AND
RECOMMENDATION**

This matter is before the Court on plaintiff's pro se motion for default judgment (Doc. 11), defendants' response in opposition (Doc. 12), and defendants Purna Veer, Eric Holder, Lisa Hintz, and Keith Giffney's motion to dismiss (Doc. 16).

Counsel entered an appearance for plaintiff on February 17, 2021 (Docs. 18, 19) and filed an amended complaint on April 1, 2021. (Doc. 26). In light of plaintiff's amended complaint, which names as the sole defendant V-Soft Consulting, Inc., defendants' motion to dismiss and plaintiff's motion for default judgment, which are both directed at the original complaint, should be **DENIED** as moot. *See Clark v. Johnston*, 413 F. App'x 804, 811 (6th Cir. 2011).

IT IS SO RECOMMENDED.

Date: 4/2/2021



Karen L. Litkovitz
Chief United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES MILLHOUSE,
Plaintiff,

Case No. 1:20-cv-598
Barrett, J.
Litkovitz, M.J.

vs.

V-SOFT CONSULTING, *et al.*,
Defendants.

NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).